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September 11, 2014

VIA ECF and FACSIMILE to (212) 805-4268

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY	FILED
DOC #:	
DATE FILED:	9/12/14

Cameron S. Reuber
Senior Associate
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Re: *Ritani, LLC v. Harout Aghjayan, et al.*
1:11-cv-08928 (RWS)(GWG) (SDNY)

Dear Judge Gorenstein:

We are counsel for Plaintiff in the above-referenced action. We write jointly with counsel for Defendants to submit the parties' joint proposal for modification of the current discovery order. *See Dkt. 174*. The parties have been conducting discovery in accordance with this schedule, including by taking depositions, and all parties now believe that the time is ripe to enter into in-person settlement discussions and are using the previously set deposition dates for these in-person settlement meetings and wish to use their resources for settlement, rather than for conducting discovery. Thus, the reason for the joint request is the realistic prospect of settlement, including a settlement meeting of party principals scheduled for September 22, 2014.

The current discovery schedule does not provide sufficient time for the parties to explore settlement as well as complete the remaining contemplated/scheduled depositions and the new proposed schedule accommodates defense counsel's previously set vacation schedule (which were scheduled to avoid any conflict with this matter's discovery deadlines). For these reasons, we jointly request a slight modification of the discovery schedule as follows.

Proposed Discovery Plan

The proposed schedule is as follows:

1. The deadline for parties to complete fact discovery is December 5, 2014.
2. The deadline for parties to submit all expert disclosures (e.g., reports) required by Rule 26 is December 19, 2014.
3. The deadline for parties to submit expert rebuttal disclosures is January 5, 2015.
4. The deadline for parties to complete all expert discovery is January 30, 2015.

The parties shall inform each other in writing as to whether any intends to file a dispositive motion by February 13, 2015. The disclosure shall generally state the issues upon which summary judgment shall be sought. The parties shall meet and confer regarding a summary judgment briefing schedule by ~~February 27, 2015~~, which shall be submitted for court approval by ~~March 6, 2015~~. If no party intends to file a dispositive motion, the parties shall meet and confer by no later than March 13, 2015, regarding the scheduling of trial and preparation and submission of pretrial order materials consistent with Judge Sweet's Individual Practices.

pre-trial order is due on March 13, 2015

February 20, 2015

{10055/608847-300/250031.1}

SO ORDERED. DATE: 9/11/14
GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

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Wherefore, the parties respectfully request endorsement and entry into the record of the proposed case management schedule outlined above.

Respectfully submitted,



Cameron S. Reuber

cc: Counsel for Defendants (by ECF)